

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**RAVEN JONES,** )  
**PLAINTIFF,** )  
 )  
**VS.** )  
 )  
 )  
 )  
**GREGORY SAMUEL FOSTER,** )  
**DEFENDANT.** )  
 )

**CIVIL ACTION NO.:**

**JURY TRIAL DEMANDED**

**COMPLAINT**

**I. INTRODUCTION**

1. Plaintiff Raven Jones states that Defendant engaged in abusive, deceptive, and unfair acts in violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"). Specifically, Defendant, through the actions of its employees, left a message on Plaintiff's cellular telephone voice message system in an effort to collect on a debt owed to another entity. The messages did not give the required disclosure regarding Defendant's status as a debt collector nor did they provide meaningful disclosure of the Defendant's identity.

**II. JURISDICTION AND VENUE**

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), and 28 U.S.C. § 1337 and diversity of citizenship. Venue in this District is proper in that the Defendant transacted business here and the conduct complained of occurred here.

### **III. PARTIES**

3. Plaintiff is a natural person residing in the County of St. Louis, State of Missouri.

4. Defendant Gregory Samuel Foster, (hereinafter referred to as "Mr. Foster") is an attorney licensed to practice law in the state of Pennsylvania and doing business in the State of Missouri. Mr. Foster may be served at his business address, 6 Neshaminy Interplex, Suite 212, Trevose, PA 19053, Buck County.

5. Defendant is engaged in the collection of debts from consumers using the mail, facsimile transmission and telephone. Defendant regularly attempts to collect consumer debts it purchases after default and/or consumer debts alleged to be due to another. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. § 1692a(6).

6. The acts of Defendant alleged hereinafter were performed by its employees acting within the scope of their employment with Defendant, and with its actual or apparent authority.

### **IV. FACTUAL ALLEGATIONS**

7. Defendant left a message on Plaintiff's cellular telephone voice message system on January 25, 2011 in an effort to collect on a debt which was allegedly originally owed to another entity not a party to this litigation. The alleged obligation is a consumer debt as defined in 15 U.S.C. § 1692a(5).

8. The call was received by Plaintiff on her cellular telephone phone.

9. In its message, Defendant's employee failed to advise Plaintiff that the Mr. Foster was a debt collector attempting to collect a debt. Plaintiff has retained and preserved the recorded message.

**VIOLATIONS OF THE FDCPA**

10. Plaintiff incorporates herein by reference each and every prior allegation and fact as though fully restated and re-alleged.

11. Defendant's actions violated the FDCPA. The violations include, but are not limited to, the following:

(a) Defendant violated 15 U.S.C. § 1692e(11) when it left prerecorded messages on Plaintiff's residential phone line which failed to indicate that the communication was from a debt collector;

(b) Defendant's actions were unfair and unconscionable means to collect the debt in violation of 15 U.S.C. § 1692f.

12. As a result of the above violations of the FDCPA, the Defendant is liable to the Plaintiff for actual damages, statutory damages, and costs and attorney's fees.

**WHEREFORE**, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Statutory damages pursuant to 15 U.S.C. § 1692k;
- B. Actual damages;
- C. Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k;
- D. For such other and further relief as may be just and proper.

**PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

/s/ Raven Jones  
**Raven Jones**

Respectfully submitted,

**SKELTON LAW FIRM**

/s/ Jovanna R. Longo  
Jovanna R. Longo  
EDMO # 60294MO  
Attorney at Law  
2700 Macklind Ave, First Floor  
St. Louis, MO 63139  
jovanna@skeltonlawfirm.com  
telephone: (314) 802-8328  
fax: (314) 802-8327